

Before the Board of Zoning Adjustment, D. C.

Application No. 11662, of Frank Emmett Realty Company, pursuant to Section 8207.1 of the Zoning Regulations, for a waiver of eleven (11) off street parking spaces as required by Section 7202.1, for a public hall use in the C-2-A Zone at the premises located at 1252 H Street, N. E., Lot 800, Square 1003.

ORDERED:

That the above application be DENIED.

VOTE: 5-0

HEARING DATE: June 19, 1974

EXECUTIVE SESSION: June 25, 1974

FINDINGS OF FACT:

1. The applicant proposes to use the subject property as a public hall which is allowed in the C-2-A Zone.
2. The subject property is a two story corner building.
3. The subject property is presently vacant on the first floor and occupied on the second floor as a residence.
4. The previous uses of the property have been a public hall and a bar. The most recent use of the property was that of a second-hand clothing store operated by St. Vincent DePaul Church Foundation.
5. The applicant, who is running for city council proposes to use the subject property as a campaign headquarters, then at a later date as a dancing, go-go establishment.
6. The Zoning Administrator testified, and the Board finds that the Zoning Regulations require 11 parking spaces.
7. The subject building covers 100% of the lot.
8. The applicant testified at public hearing that the subject lot covers 100% of the lot, and that no available parking for purchase, rental or anything exists in the subject neighborhood. The applicant also testified that his clientele for the proposed public hall will be predominantly young people who cannot afford automobiles and travel by bus.
9. No opposition was registered.
10. The applicant did not testify or enter into evidence any facts regarding a hardship or practical difficulty to support his request for this variance.

CONCLUSIONS OF LAW:

Based upon the above findings, the Board concludes that the applicant has not proved the existence of a practicable difficulty resulting from the strict application of the Zoning Regulations which is peculiar to the owner or the subject property. Because the applicant has not carried his burden of proof by demonstrating a practical difficulty as required by the Zoning Regulations Section 8207.11, the Board is of the opinion that the granting of this variance would be detrimental to the public good, and impair the meaning and intent of the Zoning Regulations.

BY THE ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



JAMES E. MILLER,
Secretary to the Board

FINAL DATE OR ORDER:

7/27/74